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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,347	10/26/2001	Steven T. Breidenbach	10010026 -1	2380

7590 09/27/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/27/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,347

Applicant(s)

BREIDENBACH ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/8-25-03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: the specification refers to reference numbers 102 and 106 respectively as computer and scanner, which is incorrect as displayed in Figure 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-14 and 16-23 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6,452,95 B1 (Casey et al.), herein referred to as Casey.

Referring to claims 1, 12 and 23, Casey discloses a system for improving the performance of a plurality of peripheral devices (column 1, lines 7-9). Casey discloses a first peripheral device associated with a first software component and having a first functionality (column 2, lines 58-61 and column 3, lines 3-4). Casey also discloses a second peripheral device associated with a second software component and having a second functionality, the second peripheral device being coupled to the first peripheral device (column 2, lines 61-67 and column 3, lines 1-5). Casey discloses that the first and second peripheral devices together perform

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functionality in addition to the first and second functionalities and having a common user interface (column 3, lines 34-39).

Referring to claims 2 and 13, Casey discloses that the first and second peripheral devices are coupled via a computer (column 2, lines 61-65).

Referring to claims 3 and 14, Casey discloses that the first and second peripheral devices are coupled via a network (column 1, lines 46-48).

Referring to claims 5 and 16, Casey discloses that the first and second peripheral devices are coupled directly to each other (column 5, lines 16-20).

Referring to claims 6 and 17, Casey discloses that the first peripheral device is a scanner and the second peripheral device is a printer and the first and second peripheral devices combine to perform the functionality of a copier (column 1, lines 9-13).

Referring to claims 7 and 18, Casey discloses a graphical user interface, where the graphical user interface receives information from the first and second software components and presents to a user the additional functionality (column 3, lines 3-16).

Referring to claims 8 and 19, Casey discloses first software component associated with the first peripheral device and the second software component associated with the second peripheral device allow the first and second peripheral devices to exchange information over a network, the information pertaining to the identity of the first peripheral device and the second peripheral device (column 3, lines 3-8).

Referring to claims 9 and 20, Casey discloses that the information exchanged between the first and second peripheral devices further comprises information relating to the capabilities of

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the first peripheral device and the second peripheral device (column 5, lines 61-67 and column 6, lines 1-6).

Referring to claims 10 and 21, Casey discloses that the first peripheral device modifies its capabilities based on the information received from the second peripheral device (column 6, lines 44-50), wherein the printer modifies its capabilities based on the image input device's capabilities.

Referring to claims 11 and 22, Casey discloses that the first peripheral device presents to a user a menu of available functionality based on the information received from the second peripheral device (column 6, lines 17-21), wherein the image input device would choose options that are available for manipulating the document to be printed for reducing or enlarging.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casey and "Wireless Networks".

Referring to claims 4 and 15, Casey does not specifically disclose that the first and second peripheral devices are coupled via a wireless network. It would have been obvious for one skilled in the art at the time of the invention to implement a wireless network through which the devices are coupled. Wireless networks have been a growing trend in the field, wherein networks that are existing such as the Internet, as disclosed in Casey and which may previously

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have been connected via cables have been introduced to wireless networks wherein all connectivity would be wireless. "Wireless Networks" teaches the advantages of having a wireless network and the features of network that are wireless (page 1, lines 12-15). It would have been obvious for one skilled in the art at the time of the invention to learn from the "Wireless Network" to implement a means wherein a network would be wireless.

Conclusion

4. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for coupling devices to perform functionality.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691 (before October 20, 2000) and (571) 272-4054 (after October 20, 2000). The examiner can normally be reached on 8:30 AM - 5:30 PM.

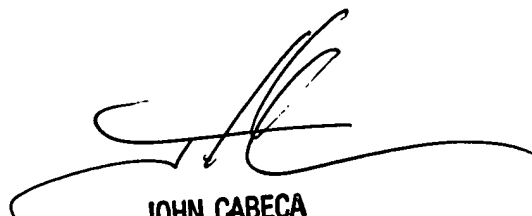
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116 (before October 20, 2000) and (571) 272-4048 (after October 20, 2000).

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
September 15, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
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